

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

BENJAMIN FRAZIER,

Case No. 2:17-cv-01609-APG-VCF

Plaintiff,

V.

RANDALL PIKE, *et al.*,

ORDER ON REPORT AND RECOMMENDATION

Defendants.

(ECF No. 3)

On September 6, 2017, Magistrate Judge Ferenbach entered a report and recommendation that I dismiss plaintiff Benjamin Frazier’s complaint without prejudice. Frazier did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and recommendations de novo if *objection is made*, but not otherwise” (emphasis in original)). Nevertheless, Judge Ferenbach sets forth the proper legal analysis and factual basis for the decision.

IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation
(ECF No. 3) is accepted. Plaintiff Benjamin Frazier's complaint is dismissed without prejudice.
The clerk of court is instructed to close this case.

22 DATED this 29th day of September, 2017.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE